

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
SOUTHEASTERN DIVISION**

MYLIK JAQUAN STARNES,

Plaintiff,

VS.

UNKNOWN CAROLL, *et al.*,

Defendants.

Case No. 1:24-cv-00077-MTS

MEMORANDUM AND ORDER

This matter is before the Court on review of Plaintiff Mylik Jaquan Starnes’s Application to Proceed in District Court Without Prepaying Fees or Costs. Doc. [2]. Plaintiff has failed to “submit a certified copy of the trust fund account statement (or institutional equivalent)” for “the 6-month period immediately preceding the filing of the complaint . . . , obtained from the appropriate official of each prison at which [he] is or was confined.” 28 U.S.C. § 1915(a)(2).^{*} The Court therefore will deny the Application without prejudice.

The Court will provide Plaintiff forty-five days within which to prepay the \$405 filing fee in its entirety or file a proper Application to Proceed in District Court

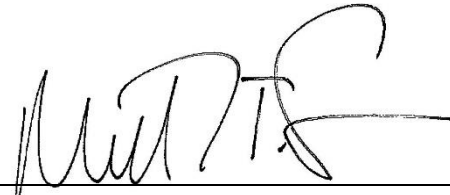
* The form application Plaintiff used is substantially similar to form AO-240 (Application to Proceed in District Court Without Prepaying Fees or Costs (Short Form)). It specifically states: “I have attached to this document a statement certified by the appropriate institutional officer showing all receipts, expenditures, and balances during the last six months for any institutional account in my name.” Doc. [2]. Thus, not only was Plaintiff statutorily required to submit the account statement, he also was on notice of the requirement.

Without Prepaying Fees or Costs. Failure to timely prepay the entire filing fee or file a proper Application will result in the dismissal of this action without prejudice and without further notice.

Accordingly,

IT IS HEREBY ORDERED that Plaintiff's Application to Proceed in District Court Without Prepaying Fees or Costs, Doc. [2], is **DENIED** without prejudice. Plaintiff is given through **Monday, June 3, 2024**, within which to prepay the filing fee or file a proper Application to Proceed in District Court Without Prepaying Fees or Costs. Failure to do so will result in the dismissal of this action.

Dated this 17th day of April 2024.



MATTHEW T. SCHELP
UNITED STATES DISTRICT JUDGE